

## REMARKS

### 1. Preliminary Remarks

#### a. Status of the Claims

Claims 53 and 61 are pending in this application. Claims 53 and 61 are amended. Applicant requests that the amendments and remarks made herein be entered into the file history of the application. Upon entry of the amendments, claims 53 and 61 will be pending and under active consideration.

#### b. Amendments to the Claims

In order to expedite prosecution and without prejudice for seeking claims of similar scope in a continuing application, claims 53 and 61 are amended to define the electron withdrawing groups of C and E as aldehyde. Support for amended claims 53 and 61 can be found throughout the specification, for example, page 10, lines 8, page 12, lines 4-10 in combination with page 13, lines 18-22 showing an aldehyde represented by C and E.

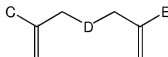
### 2. Patentability Remarks

#### a. 35 U.S.C. § 102

*Kunida-JP-2002-105128*

On page 3 of the Office Action, the Examiner rejects claims 53 and 61 under 35 U.S.C. §102(b) as allegedly being anticipated by Kunida, JP-2002-105128 (hereafter "Kunida"). The Examiner asserts that Kunida teaches a photopolymerizable material (B-3 and B-4) that anticipates the recited monomers. In view of the foregoing amendments, Applicant respectfully disagrees.

Amended claims 53 and 61 are directed to a cross-linked polyether or method of preparing

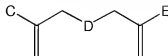


which is obtained by polymerizing a monomer of the general formula wherein D is PEG, PPG or poly(THF), and C and E are independently an aldehyde, wherein all the monomers of the cross-linked polyether are identical. Applicant submits that Kunida does not teach or suggest a cross-linked polymer with an aldehyde electron withdrawing group on either end of the molecule. According, Kunida does not anticipate amended claims 53 and 61. In view of the foregoing amendment, Applicant submits that the rejection of claims 53 and 61 under 35 U.S.C. §102(b) has been overcome and should be withdrawn.

*Kunita-US Patent No. 6,787,622*

On page 4 of the Office Action, the Examiner rejects claims 53 and 61 under 35 U.S.C. §102(b) as allegedly being anticipated by Kunita, U.S. Patent No. 6,787,622 (hereafter “Kunita”). The Examiner asserts that Kunita teaches a photopolymerizable material (B-3 and B-4) that anticipates the recited monomers. In view of the foregoing amendments, Applicant respectfully disagrees.

Amended claims 53 and 61 are directed to a cross-linked polyether or method of preparing



which is obtained by polymerizing a monomer of the general formula wherein D is PEG, PPG or poly(THF), and C and E are independently an aldehyde, wherein all the monomers of the cross-linked polyether are identical. Applicant submits that Kunita does not teach or suggest a cross-linked polymer with an aldehyde electron withdrawing group on either end of the molecule. According, Kunita does not anticipate amended claims 53 and 61. In view of the foregoing amendment, Applicant submits that the rejection of claims 53 and 61 under 35 U.S.C. §102(b) has been overcome and should be withdrawn.

### 3. Conclusion

Applicant respectfully submits that the instant application is in good and proper order for allowance and early notification to this effect is solicited. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the instant application, the Examiner is encouraged to call the undersigned at the number listed below.

Respectfully submitted,  
POLSINELLI SHUGHART PC

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